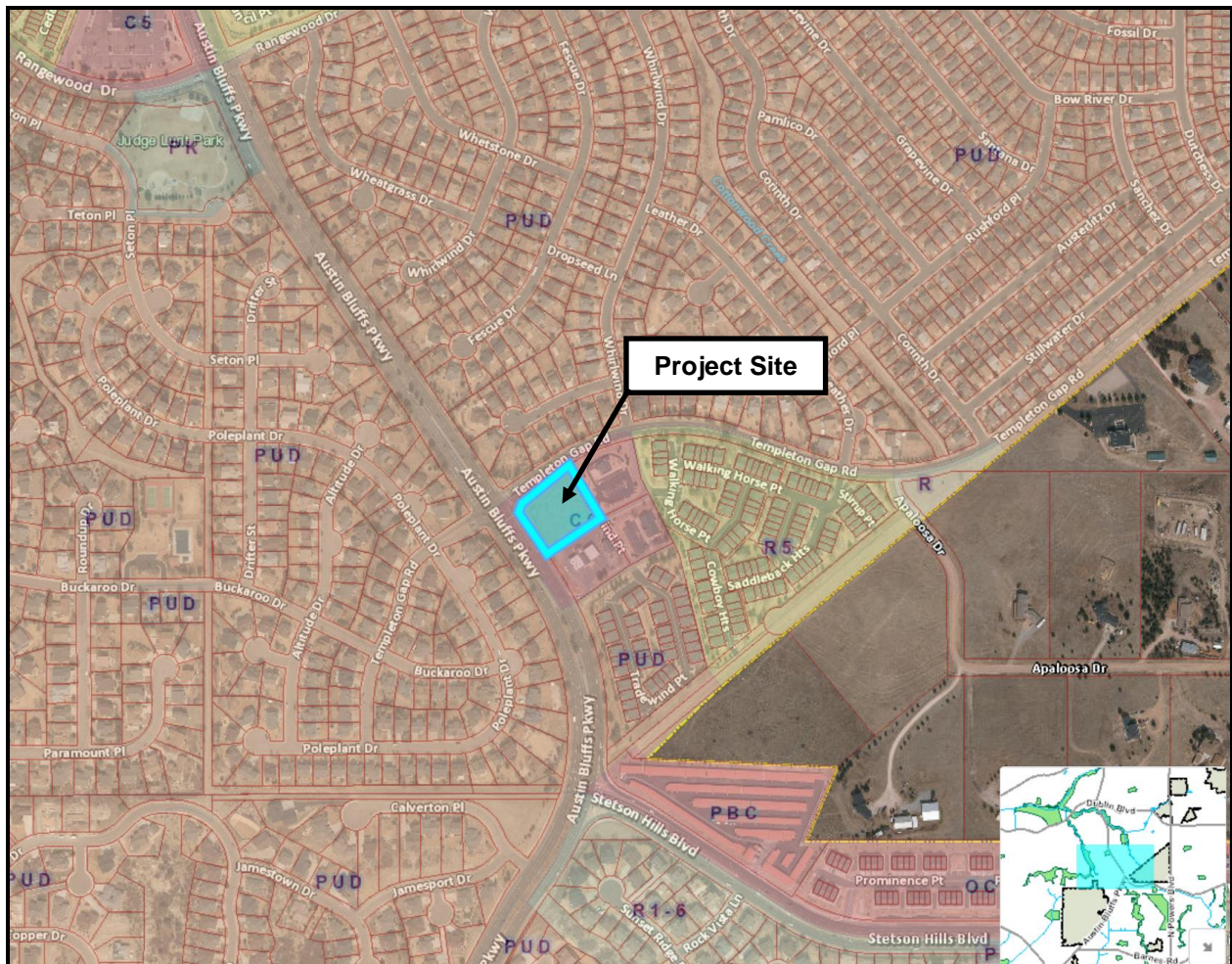


**CITY PLANNING COMMISSION AGENDA
May 21, 2020**

STAFF: DANIEL SEXTON

FILE NOS:
CPC CU 19-00148 – QUASI-JUDICIAL
CPC NV 19-00151 – QUASI-JUDICIAL

PROJECT: ATRIUM SENIOR APARTMENTS
OWNER: CITY OF COLORADO SPRINGS
DEVELOPER: GRECCIO HOUSING
CONSULTANT: STRATEGIC LAND SOLUTIONS, INC.



PROJECT SUMMARY:

1. Project Description: The project includes concurrent applications for a conditional use development plan and nonuse variance for the 1.14-acre project site to be developed with a multi-family senior apartment complex (herein referred as the “Atrium Senior Apartments” project). The property associated with this project is located at 4921 Templeton Gap Road. The conditional use development plan illustrates a 54-unit senior apartment complex on the 1.14-acre site with ancillary on-site improvements. **(FIGURE 1)** The nonuse variance is a request to allow the reduction of the front building setback along Templeton Gap Road from 20 feet to 10 feet. (Per City Code Section 7.3.104, the required front building setback is 20 feet.) **(FIGURE 1)**
2. Applicant’s Project Statement: **(FIGURE 2)**
3. Planning and Development Team’s Recommendation: Staff recommends approval of the applications.

BACKGROUND:

1. Site Address: The project site is located at 4921 Templeton Gap Road.
2. Existing Zoning/Land Use: The subject property is currently zoned C-6/cr/AO
3. Surrounding Zoning/Land Use: North: PUD/AO (Planned Unit Development with an Airport Overlay) and is residentially developed.

East: C-6/cr/AO (General Business with Conditions of Record and an Airport Overlay) and is commercially developed.

South: C-6/cr/AO (General Business with Conditions of Record and an Airport Overlay) and is commercially developed.

West: PUD/AO (Planned Unit Development with an Airport Overlay) and is residentially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map, the project site is within an identified Established Suburban Neighborhood. **(FIGURE 3)**
5. Annexation: The subject property was annexed into the City in October 27, 1981 under the Pring Ranch Addition Number 6 Annexation Plat (Ord. 81-223).
6. Master Plan/Designated Master Plan Land Use: The property is part of the Nor’wood Master Planned area, and identified for Commercial uses.
7. Subdivision: The property has been platted as Lot 2 of the Sundown Square Subdivision Filing Number 1.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The site is currently vacant, gradually slopes northwest toward Templeton Gap Road.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to adjacent property owners with 1,000 feet of the site, which included the mailing of postcards to 387 property owners, on two occasions: as part of the internal review/neighborhood meeting and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above as well. At the neighborhood meeting, approximately 54 residents attended to listen to a presentation by the applicant and ask questions. During the neighborhood meeting and throughout the public comment period, City Planning staff received a significant amount of public comment both in favor and against the project. **(FIGURE 4)** Detailed discussion of the public comments is provided later in this staff report.

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire Prevention, City Parks & Recreation,

CONO, School District 11, Police and E-911, Enumerations, Colorado Springs Airport, and the City's Stormwater Enterprise. As an infill project within an established neighborhood, City Planning staff notes that the following review agencies did or did not provide project specific comments:

- Colorado Springs Airport - The Airport did not have any comments or objections to the project.
- Colorado Springs Parks – The Parks Department requested parkland fees in lieu of land dedication, which will be collected at time of building permit.
- School District 11 – No comments or objections were received from this review agency. As such, and in accordance with City Code Section 7.7.12 *Park and School Dedications*, school fees in lieu of land dedication will be collected at time of building permit.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

a. Application Summaries:

i. Conditional Use Development Plan

The proposed conditional use development plan for the Atrium Senior Apartments project will permit the development of a multi-family residential use with ancillary site improvements. **(FIGURE 1)** More specifically, the residential complex will consist of one, three-story building with 54-units of senior apartments (60+ tenants), 39 on-site parking spaces, landscaped common areas and adjacent public improvements including sidewalks and street trees. The above referenced age restriction is not a requirement of City Code, but is self-imposed by the applicant which is being driven by demographic need within the community. As sited, the building has been placed in close proximity to Austin Bluffs Parkway (20.25 feet) and Templeton Gap Road (10 feet), adequate buffering/screening has been provided along these frontages, as well as elsewhere on the site, through a tailored landscape approach of shrubs, grasses, and perennials plantings and Pinon pines adjacent to the building and new deciduous street trees within the adjacent roadway parkways. The applicant also strategically placed and selected exterior lighting fixtures to mitigate the presence of the complex at night within the immediate residential area. The site will be accessed off Templeton Gap Road via a private shared access drive, which was concurrently developed with the adjacent commercial properties to the east and south. The applicant selected the project location based on the availability of land and its relative proximity to commercial centers off Powers Boulevard to the east and Austin Bluffs Parkway to the south.

Based on extensive public feedback, the applicant has proposed 39 on-site parking facilities exceeding the 32 parking spaces required by City Code Section 7.4.203 *Parking Space Requirements by Use*. In order to accommodate the additional on-site parking and associated maneuvering aisles, the building was sited within the front setback off Templeton Gap Road. As noted above, adequate landscaping has been provided along the roadway frontages to mitigate the aesthetic and visual impact of the building's placement.

ii. Nonuse Variance

Concurrently, the applicant has requested a nonuse variance to allow the reduction of the front building setback along Templeton Gap Road to 10 feet. **(FIGURE 1)** Per City Code Section 7.3.104 *Agricultural, Residential, Special Use and Traditional Neighborhood Development Zone District Development Standards* the required front building setback is 20 feet. In order for this request to be granted, the following criteria under City Code Section 7.5.802 *Nonuse Variances* must be met:

- *The property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district; and*
- *That the extraordinary or exceptional physical condition of the property will not allow a reasonable use of the property in its current zone in the absence of relief; and*
- *That the granting of the variance will not have an adverse impact upon surrounding properties.*

Based on City Planning staff's review of this request, the extraordinary or exceptional condition of the property is an 8-foot grade change that slopes down approximately 300 feet from the southeast corner to the northwest corner of the site. This sloping condition is not present on the immediately adjacent commercially developed parcels, which are similarly zoned, or the residentially developed properties in the neighborhood. **(FIGURE 5)** While certain construction or engineering approaches could potentially have been utilized to overcome this constraint, those techniques would have likely increased the physical height of the building as it relates to adjacent residential properties to the north. Furthermore, if the building were placed more to the south to compensate for the grade change, a significant amount of on-site parking would be eliminated. As indicated by the public comments received to date, maximizing the amount of on-site parking was a request of the neighborhood since the inception of this project.

b. Traffic

The City's Traffic Engineering Division of Public Works (herein referenced as "City Traffic") has reviewed the proposed development plan and accompanying Traffic Impact Study, prepared by SM Rocha, LLC. City Traffic has accepted the analysis and conclusions set forth in the report. As noted in the report, "the traffic conditions indicate that the addition of site-generated traffic is expected to create no negative impact to traffic operations for the existing and surrounding roadway system..." This assessment is based upon the implementation of certain roadway and intersection control improvements, which more specifically consist of roadway stripping, resequencing of the Templeton Gap Road/Austin Bluffs Parkway intersection signal, and other ancillary enhancements. Since no major roadway or signal improvements are recommended due to the site-generated traffic, no remitting of funds triggers have been applied to the Atrium Senior Apartments project plan. City Planning and Traffic will monitor the build-out of this project to determine if additional roadway or intersection improvements are necessary.

c. Drainage

The City's Stormwater Enterprise Division of Public Works (herein referenced as "SWENT") has reviewed the development plan and accompanying final drainage report, prepared by Strategic Land Solutions, Inc. Stormwater from the project will be treated on-site in an underground detention chambers. SWENT has accepted the analysis and conclusions set forth in the report.

d. Public Comments

Throughout the review of the project applications, staff received a significant amount of public comment both in favor and against the project. **(FIGURE 4)** While the comments varied widely, most focused on traffic impacts, the visual aesthetics or height of the building, and decreased property values. City Planning staff provides the following responses to the above referenced comments:

- **Traffic:** With all infill proposals, traffic impacts are frequently the number one issue for an established neighborhood, as traffic can significantly affect an individual's quality of life. As discussed above in the Traffic subsection of this report, no negative impacts to traffic operations are expected to occur. The applicant's traffic analysis further reinforces that traffic operations should be mitigated by the applicant's use of

third-party vendors to provide passenger shuttle services and the baseline age (60+) of tenants in the complex. City Planning staff notes that the traffic analysis was prepared in accordance with the City's Traffic Criteria Manual.

- Visual Aesthetics/Height: Per City Code Section 7.3.104, the maximum building height allowed is 45 feet. The applicant has proposed a building height that will not exceed 43'-8". As a matter of practice, City Planning staff does not have the authority to impose a more restrictive height measurement.
- Decreased Property Values: Per City Code Sections 7.5.502(E), 7.3.704 and 7.5.802(B), staff does not consider impacts to adjoining property values when reviewing land use applications. Furthermore, given the site's location at an intersection of major roadways, it reasonable to anticipate that the property would develop with uses other than single-family residential.

Staff finds that the conditional use development plan and concurrent nonuse variance applications for the Atrium Senior Apartment project, which was carefully considered concerning the potential impacts on the surrounding neighborhood and adjacent public facilities to the project site, are consistent with the purpose for granting a conditional use, as set forth in City Code Section 7.5.701, and the purpose for granting a nonuse variance, as set forth in City Code Section 7.5.801.

2. Conformance with the City Comprehensive Plan

Staff has evaluated the proposed applications for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified on the PlanCOS Vision Map as an Established Suburban Neighborhood. **(FIGURE 3)**

In the Vibrant Neighborhoods Chapter 2 of PlanCOS, the project aligns with the parameters for the "Typology 1: Established Neighborhoods" in that these neighborhoods are envisioned to

"...recognize, support, and enhance the existing character of these neighborhoods, while supporting their ongoing investment and improved adaptation. New development and/or redevelopment should incorporate elements of the existing neighborhoods."

Furthermore, the project is in line with this chapter's "Big Idea" entitled "Housing for All" and its goal VN-2:, which states:

"Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs."

In the Thriving Economy Chapter 4 of PlanCOS, projects are encouraged under the "Big Idea" entitled "Embrace Sustainability" to *"Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas."* To support the economic changes and growth of our community, projects such as this must be considered to ensure the City meets the needs of the larger community and the orderly development of certain areas. Adaptive and responsive land use change is one of the core values of PlanCOS, and is on balance with staff's support for this proposal. City staff finds this proposal to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan

The project site is within the Nor'wood Master Planned area and identified for Commercial uses. While the applicant is proposing a land use type that is not allowed under the master plan land use designation, the Nor'wood Master Planned area was previously deemed "Implemented". Per City Code Section 7.5.402(B) Implemented Master Plan, a master plan is deemed implemented when the master planned area "...is eighty five percent (85%) or more built out and the remaining

vacant land is zoned in conformance with the master plan.” Thus, this and future land use actions within the master planned area will not require an amendment of the master plan. City Planning staff finds that the Atrium Senior Apartments project to be complimentary and supportive of the long-range vision for the Nor’wood Master Plan.

STAFF RECOMMENDATION:

CPC CU 19-00148

Approve the conditional use development plan for the Atrium Senior Apartments project, based upon the finding that the request meets the review criteria for granting a conditional use, as set forth in City Code Section 7.5.704, and a development plan, as set forth in City Code Section 7.5.502(E).

CPC NV 19-00151

Approve the nonuse variance to City Code Section 7.3.104 for a 10-foot front setback where a 20-foot setback is required, based upon the findings that the request meets the review criteria for granting a nonuse variance, as set forth in City Code Section 7.5.802(B).